REMARKS

Applicants appreciate the thorough examination of the present application as evidenced by the Office Action mailed January 28, 2009 (hereinafter "Office Action"). In response, Applicants have amended independent Claim 46 and canceled Claims 52 and 58-75. Applicants respectfully submit that no new matter is added and support for this amendment may be found in the Specification at page 15, lines 20-25 and page 10, line 24 to page 11, line 5, among others. Applicants respectfully submit that currently pending Claims 46-51 and 53-57 are allowable over the cited references for at least the reasons provided below. Accordingly, Applicants respectfully request a Notice of Allowance in due course.

35 U.S.C. §101 Rejections are Moot

The Office Action rejects Claims 59-75 as being directed to non-statutory subject matter. (Office Action, page 4.) Applicants respectfully submit that Claims 59-75 are canceled herein and thus the Section 101 rejections are moot.

35 U.S.C. §112, Second Paragraph Rejections are Moot

The Office Action rejects Claims 59-75 as being indefinite. (Office Action, page 6.) Applicants respectfully submit that Claims 59-75 are canceled herein and thus the Section 112, second paragraph rejections are moot.

Claim 46 is Patentable Over SyncML

The Office Action rejects Claims 46-49, 54-56, 59-62 and 67-71 under 35 U.S.C. §102(b) as being anticipated by SyncML Sync Protocol, version 1.0, SYNCML CONSORTIUM, published December 7, 2000 (hereinafter "SyncML"). (Office Action, page 7.) Applicants respectfully submit that independent Claim 46, as amended, is patentable over SyncML for at least the reasons that SyncML does not disclose or suggest the recitations therein. For example, independent Claim 46, as amended, recites:

A method for providing authentication when messages are sent

between an electronic communication apparatus and a server according to a synchronization protocol in which a plurality of different authentication methods are available, comprising:

    providing an authentication method indicator that specifies an authentication method of the plurality of different authentication methods according to which the authentication is to be executed;

    incorporating into a message the authentication method indicator comprising a plurality of authentication capabilities of the communication apparatus among the plurality of different authentication methods;~~and~~

    transmitting said message to said server according to an authentication protocol of the synchronization protocol;

    generating, at the server, an integrity key that is encrypted with the public key of the electronic communication apparatus, and **an authentication data value comprising an equivalent of an AKA FRESH parameter**;

    sending the integrity key and the authentication data value to the electronic communication apparatus;

    using the integrity key at the electronic communication apparatus to generate MAC values; and

    using a hashing function at the electronic communication apparatus to compute a Hashed Method Authentication Code (HMAC) on the message,

    wherein the specified authentication method is any of a group comprising Wireless Public Key Identity (WPKI), Wireless Identity Module (WIM) authentication. (*Emphasis added.*)

Applicants respectfully submit that Claim 46, as amended, is patentable over the cited reference for at least the reason SyncML does not disclose or suggest that the server generates "an authentication data value comprising an equivalent of an AKA FRESH parameter," as recited in Claim 46, as amended.

Additionally, as SyncML does not disclose generating the authentication value as recited in Claim 46, as amended, then SyncML necessarily does not disclose or suggest "sending the...authentication data value to the electronic communication device," as recited in Claim 46, as amended.

In contrast with the authentication data value recited in Claim 46, Applicants note that both the Basic and MD5 digest authentication schemes are mandatory authentication methods supported in SyncML. Accordingly, Applicants respectfully submit that independent Claim 46, as amended, is patentable over SyncML.

Additionally, other ones of the claims are rejected under 35 U.S.C. §103 as

unpatentable in view of various combinations of SyncML, U.S. Patent Application Publication No. 2002/0091933 to Quick, Jr. et al. ("Quick"), U.S. Patent Application Publication No. 2003/0028805 to Lahteenmaki ("Lahteenmaki"), U.S. Patent Application Publication No. 2003/0033524 to Tran et al. ("Tran"), and/or U.S. Patent Application Publication No. 2003/0056100 to Beatson ("Beatson"). Applicants respectfully submit that the references cited in support of the Section 103 rejections do not disclose or suggest the missing teachings discussed above. For at least these reasons, Applicants respectfully submit that Claim 46 is patentable over the art of record, the allowance of which is respectfully requested.
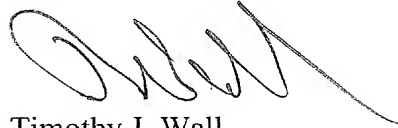
Dependent claims are patentable

Applicants respectfully submit that dependent Claims 47-51 and 53-57 are patentable at least per the patentability of independent Claim 46 from which they depend.

In re: Gustavsson et al.
Application No.: 10/506,943
Filed: March 7, 2005
Page 8

CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.
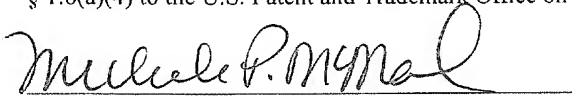
Respectfully submitted,

Timothy J. Wall
Registration No.: 50,743

USPTO Customer No. 54414
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401